

### **REMARKS**

Prior to entry of this paper, Claims 1-45 were pending. In this paper, Claims 1, 18, 26, 35-38, 41, and 45 are amended. No new matter is added by way of these amendments. No claims are canceled, or added. For the reasons discussed in detail below, Applicant submits that the pending claims are patentable over the art of record and respectfully request that the Examiner pass this application to issue.

### **Claim Rejections – 35 U.S.C. §103(a)**

Claims 1-7, 9-23, and 25-45 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tewari et al. (U.S. Patent Publication No. 2003/0097564, herein “Tewari”) in view of Laraki et al. (U.S. Patent Publication No. 2003/0233329, herein “Laraki”). In addition, claims 8 and 24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tewari in view of Laraki, and further in view of Wilf (U.S. Patent No. 6,496,824, herein “Wilf”). The Applicants respectfully traverse these rejections.

For example, amended claim 1 recites, a method of managing a communication with a mobile device, by, in part, determining at least one device signature for the mobile device based on the at least one level of trust, and independent of user configured access information. After carefully considering the cited references and the discussion provided in the Office Action, the Applicants submit that the cited references do not disclose or suggest determining a device signature that is independent of user configured access information.

Unlike the present invention, Tewari discloses that the access to content is available at the file level, per user, and is implemented and controlled by the customer. Moreover, the customer manages the recipients directly without the knowledge or involvement of the CDN provider. See Tewari, paragraph 0646. For example, the customer may restrict delivery of the content to an IP address that represents a corporate network. See Tewari, paragraph 0647. Thus, when the authorization server of Tewari generates a hash value, it uses the authorization server’s secret key, the current time, a time-to-live value, and any other information that the customer has configured.

See Tewari's Abstract, and paragraph 0610. Thus, Tewari does not disclose or suggest determining a device signature that is independent of user configured access information. Moreover, a careful review of Laraki indicates that it fails also to disclose generation of a device signature that is independent of user configured access information. Therefore, Tewari and Laraki, either alone or in combination( the combination of which the Applicants deny) do not render the claimed invention obvious.

Independent claims 18, 26, 35, 41, and 45 include similar, albeit different, limitations to independent claim 1. For example, amended claim 18 recites, a client adapted for a mobile device being configured to perform actions, including, among other things, receiving at least one device signature associated with the mobile device, wherein the at least one device signature is based on at least one level of trust and is independent of a user configured access control information. Amended claim 26 recites, a server that comprises a transcoder configured to perform actions, including, among other things, determining the at least one device signature for the mobile device based on the at least one level of trust, wherein the at least one device signature is independent of user configured access control information. Thus, for the reasons stated above, the combination of Tewari and Laraki (which combination the Applicants deny) does not render obvious claims 18, 26, 35, 41, and 45.

In addition, amended claim 35 recites a system that includes a server configured to perform actions, including, among other things, determining at least two device signatures for the mobile device based on the at least one level of trust, wherein the at least two device signatures are each determined independent of user configured access control information. Not only do Tewari and Laraki not disclose determining of a device signature independent of user configured access control information, but, neither cited reference discloses determining at least two device signatures. Tewari merely discloses a single hash value being generated for access to content. Thus, for at least these reasons, independent claim 35 is not rendered obvious by the cited references.

Thus, Applicants respectfully submit that, because the cited references do not support a *prima facie* rejection of at least the pending independent claims, the Applicants request that at least claims 1, 18, 26, 35, 41, and 45 be allowed to issue.

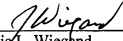
In addition, Claims 2-17 depend from claim 1; claims 19-25 depend from 18; claims 27-34 depend from claim 26; claims 36-40 depend from claim 35; and claims 42-44 depend from claim 41. Therefore, for at least the same reasons as their respective independent claims, each of the dependent claims is also allowable. Thus, Applicant respectfully submits that Claims 1- 45 are in condition for allowance, and should be allowed to issue.

**CONCLUSION**

By the foregoing explanations, Applicants believe that this response has responded fully to all of the concerns expressed in the Office Action, and believes that it has placed each of the pending claims in condition for immediate allowance. Early favorable action in the form of a Notice of Allowance is urged. Should any further aspects of the application remain unresolved, the Examiner is invited to telephone Applicants' attorney at the number listed below.

Dated: September 12, 2006

Respectfully submitted,

By   
Jamie L. Wiegand  
Registration No.: 52,361  
DARBY & DARBY P.C.  
P.O. Box 5257  
New York, New York 10150-5257  
(206) 262-8900  
(212) 527-7701 (Fax)  
Attorneys/Agents For Applicant